



**COMMONWEALTH of VIRGINIA**  
*Office of the Attorney General*  
Richmond 23219

**Jerry W. Kilgore**  
Attorney General

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May 18, 2004

Jay P. Douglas, R.N.  
Executive Director  
Virginia Board of Nursing  
6603 West Broad Street  
Richmond, VA 23230-171.2

**RE: 18 V AC 90-30-10 et seq. Regulations Governing the Licensure of Nurse Practitioners**

Dear Ms. Douglas

I have reviewed the Emergency Regulations, as cited above, in accordance with the Administrative Process Act. The amended regulations are constitutional and in conformity with statutory provisions of Chapter 855 of the 2004 Acts of the Assembly, requiring the nurse practitioners' authority for signatures, certifications, stamps, verifications, affidavits and endorsements to be included in the written protocol between the supervising physician and, the nurse practitioner.

The "emergency situation" which exists is specified in §2.2-4011 of the Code of Virginia as one in which the agency is required by statutory law to have a regulation in effect within 280 days from the enactment of the law. Having satisfied all legal requirements, you may proceed to take the necessary steps to promulgate this emergency regulation in accordance with the requirements of the Administrative Process Act.

Sincerely,

A handwritten signature in blue ink, appearing to read "Howard M. Casway".

Howard M. Casway  
Assistant Attorney General

c: Elaine J. Yeatts, Agency Regulatory Coordinator  
Department of Health Professions